

## REMARKS

In an Office Action mailed on February 4, 2008, claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 were rejected under 35 U.S.C. § 112, second paragraph; claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 were rejected under 35 U.S.C. § 102(b) as being anticipated by Phipps; and claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 were rejected under 35 U.S.C. § 102(b) as being anticipated by Curlett.

Regarding the § 112 second paragraph rejections, the claims have been amended for purposes of addressing the minor formal issues raised in the Office Action and overcoming the § 112 rejections. These amendments do not alter the scope of the claims.

The limitations of claim 7 have been incorporated into independent claim 1. As amended, the apparatus of independent claim 1 includes a tubular member that includes a passageway that is adapted to align with the eccentric passageway of the body of the connector such that a gap exists between the passageway of the body and the passageway of the tubular member when both the first and second tubing sections are fully received in the first and second openings and the sleeve is in a retracted position. The sleeve is adapted to be moved to an extended position to bridge the gap.

Neither Phipps nor Curlett discloses all limitations of amended independent claim 1, and for at least this reason, neither reference anticipates this claim. More specifically, Phipps discloses a downhole valve that includes an outer collar (labeled as the purported sleeve by the Examiner on p. 4 of the Office Action) and an epoxy sealant 68 (labeled as the purported sealing element by the Examiner on p. 4 of the Office Action). The collar 52 circumscribes an annular space of the valve. *See, for example*, Phipps, 3:10-23.

Applicant respectfully requests the Examiner to identify where the claim elements, other than the alleged sealing element and the sleeve, are purportedly disclosed in Phipps in order that the Applicant can properly address the § 102 rejection. Phipps fails to teach or even suggest the combination of a tubular member that includes another passageway adapted to align with an eccentric passageway of a body of a connector such that a gap exists between the passageway of the body and the passageway of the tubular member when both the first and second tubing sections are fully received in the first and second openings and the sleeve is in a retracted position. For at least this reason, Applicant submits that amended independent claim 1 overcomes the § 102 rejection.

Curlett discloses two tubular members that are joined by a coupling collar 84. However, it is unclear from the Office Action, which components of Curlett's coupling apparatus are considered to be the alleged elements of claim 1 (for example, which component of Curlett's apparatus is the body?) as the Office Action only labels the purported sleeve and purported sealing element of Curlett. Applicant respectfully submits that Curlett fails to teach or suggest a tubular member that includes a passageway adapted to align with an eccentric passageway of a body of a connector such that a gap exists between the passageway of the body and the passageway when first and second tubing sections are fully received in first and second openings and the sleeve is in a retracted position. Therefore, for at least this reason, Applicant submits that amended independent claim 1 overcomes the § 102 rejection in view of Curlett.

For similar reasons, the connector assembly of independent claim 97 and the method of claim 101, as amended, overcome the § 102 rejections. More specifically, neither Phipps nor Curlett teaches or even suggests a gap that exists between an eccentric passageway of a body and another passageway when first and second tubing sections are fully received in first and second openings of the body and a sleeve is in a retracted position. For at least this reason, both amended independent claims 97 and 101 overcome the § 102 rejections in view of Phipps and Curlett.

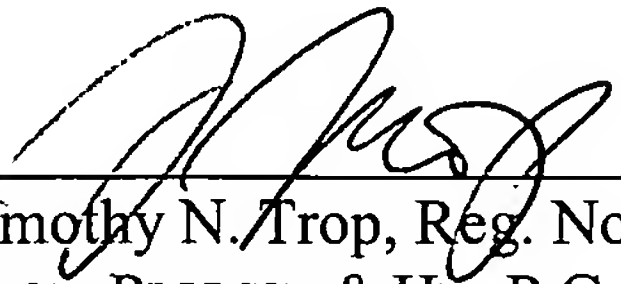
Dependent claims 2, 3, 11, 12, 16, 18, 22, 99, 100, 102 and 103 are patentable for at least the same reasons as the claims from which they depend.

### CONCLUSION

In view of the foregoing, Applicant respectfully requests withdrawal of the §§ 102 and 112 rejections and a favorable action in the form of a Notice of Allowance. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (SHL.0238US).

Respectfully submitted,

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